

[Attorney list on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA,
SAN JOSE DIVISION *E-FIL

HYNIX SEMICONDUCTOR INC.; HYNIX SEMICONDUCTOR AMERICA, INC.; HYNIX SEMICONDUCTOR U.K. LTD.; and HYNIX SEMICONDUCTOR DEUTSCHLAND GmbH,

Plaintiff,

VS.

RAMBUS INC.,

Defendant.

CASE NO. CV 00-20905 RMW

[] ORDER REGARDING
PRODUCTION OF MATERIALS
SUBJECT TO PRIVILEGE PIERCING
ORDERS IN RELATED CASES

RAMBUS INC.,

Plaintiff,

V.

**HYNIX SEMICONDUCTOR INC., HYNIX
SEMICONDUCTOR AMERICA INC., HYNIX
SEMICONDUCTOR MANUFACTURING
AMERICA INC.,**

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG SEMICONDUCTOR, INC.,
SAMSUNG AUSTIN SEMICONDUCTOR,
L.P.,

NANYA TECHNOLOGY CORPORATION,
NANYA TECHNOLOGY CORPORATION
U.S.A.,

Defendants.

CASE NO. C 05-00334 RMW

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RAMBUS INC.,2
Plaintiff,3
v.4
SAMSUNG ELECTRONICS CO., LTD.,
5 SAMSUNG ELECTRONICS AMERICA, INC.,
6 SAMSUNG SEMICONDUCTOR, INC.,
7 SAMSUNG AUSTIN SEMICONDUCTOR,
L.P.,8
Defendants.9
RAMBUS INC.,

10 Plaintiff,

11 v.

12 MICRON TECHNOLOGY, INC., and MICRON
SEMICONDUCTOR PRODUCTS, INC.,

13 Defendants.

CASE NO. C 05 02298 RMW

CASE NO. C 06-00244 RMW

17 At the case management conference before the Court on August 3, 2007, Hynix
 18 Semiconductor Inc., Hynix Semiconductor America, Inc., Hynix Semiconductor U.K. Ltd., Hynix
 19 Semiconductor Deutschland GmbH, and Hynix Semiconductor Manufacturing America Inc.
 20 (collectively, “Hynix”), Samsung Electronics Co., Ltd., Samsung Electronics America, Inc.,
 21 Samsung Semiconductor, Inc., and Samsung Austin Semiconductor, L.P. (collectively,
 22 “Samsung,”), Nanya Technology Corporation and Nanya Technology Corporation U.S.A.
 23 (collectively, “Nanya”), and Micron Technology, Inc. and Micron Semiconductor Products, Inc.
 24 (collectively, “Micron”) requested that the Court order Rambus Inc. (“Rambus”) to produce all
 25 materials that Rambus has been ordered to produce pursuant to privilege piercing orders in *Hynix*
Semiconductor, Inc. et al. v. Rambus Inc., Civ. A. No. 00-20905 (N.D. Cal. filed Aug. 29, 2000)
 26 (“Hynix I case”) and *Micron Technology, Inc. v. Rambus Inc.*, Civ. A. No. 00-792 (D. Del filed
 27 (“Hynix II case”))

1 Aug. 28, 2000) (“Micron Delaware case”) to the parties adverse to Rambus in each of the above-
 2 captioned cases to the extent it had not already done so. Rambus opposed this request. Having
 3 considered the parties’ arguments and good cause appearing,

4 IT IS HEREBY ORDERED that:

5 1. Rambus shall produce all materials that Rambus has been ordered to
 6 produce pursuant to privilege piercing orders in the Hynix I case to Hynix, Samsung, Nanya and
 7 Micron in each of the above-captioned cases to the extent it has not already done so, including
 8 without limitation the materials subject to the Court’s Orders dated February 26, 2004, January
 9 31, 2005, February 28, 2005, August 26, 2005, October 3, 2005, October 19, 2005, and October
 10 20, 2005, and all discovery and testimony taken in connection with such materials, including
 11 without limitation documents, interrogatory responses, deposition testimony and exhibits, trial
 12 testimony and exhibits, and declarations.

13 2. Rambus shall produce all materials that Rambus has been ordered to
 14 produce pursuant to privilege piercing orders in the Micron Delaware case to Hynix, Samsung,
 15 Nanya and Micron in each of the above-captioned cases to the extent it has not already done so,
 16 including without limitation the materials subject to the Court’s Orders dated May 16, 2001,
 17 February 10, 2006, and June 15, 2006, and all discovery and testimony taken in connection with
 18 such materials, including without limitation documents, interrogatory responses, deposition
 19 testimony and exhibits, trial testimony and exhibits, and declarations.

20 3. Rambus shall produce the materials identified above within 15 business
 21 days of entry of this Order without the need for further requests by Hynix, Samsung, Nanya or
 22 Micron.

23 4. By producing these materials in response to this Order, Rambus is not
 24 waiving any protection to which it is otherwise entitled under the attorney-client privilege or
 25 work product doctrine, and nothing in this Order shall preclude Rambus from challenging the
 26 admissibility of any documents or testimony at any trial on any basis, including without limitation
 27 on the basis of the attorney-client privilege and/or work product protection.

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1 IT IS SO ORDERED.
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3 Dated: 9/10/07
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6 Honorable Ronald M. Whyte
7 United States District Court Judge
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Ronald M. Whyte

1
2 By /s/ Robert Freitas
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19 AMERICA INC., HYNIX SEMICONDUCTOR
20 MANUFACTURING AMERICA INC., HYNIX
21 SEMICONDUCTOR U.K. LTD., and HYNIX SEMICONDUCTOR
22 DEUTSCHLAND GmbH

23 **APPROVED ONLY AS TO FORM AND NOT AS TO CONTENT:**

24 DATED: August 20, 2007

25 FOR RAMBUS INC.

26 By /s/ Carolyn Luedtke
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29 Attorneys for
30 RAMBUS INC.